

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DE1

COMMERCE PATENT AND TRADEMARK OFFICE

A. DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

PG36.1 W

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/936,505

INTERNATIONAL APPLICATION NO.  
PCT/EP00/01446INTERNATIONAL FILING DATE  
23 February 2000PRIORITY DATE CLAIMED  
12 March 1999TITLE OF INVENTION  
Metering Valve

APPLICANT(S) FOR DO/EO/US

Anthony Patrick JONES; Gregor John McLennan ANDERSON; Paul Kenneth RAND

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Abstract

U.S. APPLICATION NO. (IF KNOWN) 09/936,505	INTERNATIONAL APPLICATION NO. PCT/EP00/01446	ATTORNEY'S DOCKET NUMBER PG3671USW
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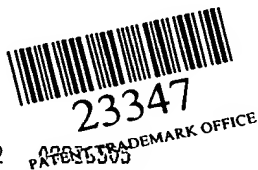
24. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	\$0.00	
Independent claims	- 3 =	0	x \$80.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$130.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David J. Levy  
GlaxoSmithKline  
Corporate Intellectual Property  
Five Moore Drive, PO Box 13398  
Research Triangle Park, NC 27709  
Telephone: 919-483-2370  
Fax: 919-483-7988



11/30/2001 MNGUYEN 00000133 071392

*Christopher P. Rogers*  
SIGNATURE

Christopher P. Rogers

NAME

36,334

REGISTRATION NUMBER

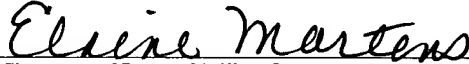
October 16, 2001

DATE

01 FC:154

130.00 CH

Page 2 of 2

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>Glaxo Group Limited</b>			Docket No. <b>PG3671USW</b>
Serial No. <b>09/936,505</b>	Filing Date	Examiner	Group Art Unit
Invention: <b>METERING VALVE</b>			
<p>I hereby certify that this <u><b>PCT Response to Notification of Missing Requirements</b></u>  <small>(Identify type of correspondence)</small></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on <u><b>November 26, 2001</b></u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 20px;"> <u><b>Elaine Martens</b></u>  <small>(Typed or Printed Name of Person Mailing Correspondence)</small>    <u><b>EL395895472US</b></u>  <small>("Express Mail" Mailing Label Number)</small> </div>			
Note: Each paper must have its own certificate of mailing.			

# PCT

Docket No.:  
In re:  
US National Application No.:  
US National Filing Date:  
International Application No.:  
International Filing Date:  
PCT Notice of Missing Requirements mailed:  
Title: METERING VALVE

**PG3671USW**  
Anthony Patrick JONES et al  
09/936,505  
  
PCT/EP00/01446  
February 23, 2000  
November 06, 2001

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Commissioner for Patents  
BOX PCT  
Washington, DC 20231  
Attn: DO/EO/US

## **PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US**

Sirs:

In response to the PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US mailed to us on **November 06, 2001**, we submit the following documents, statement and copies of transmission as filed with the DO/EO/US as a second transmission on October 16, 2001.

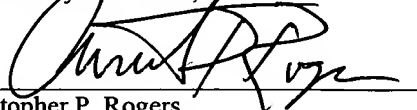
- Copy of Form PCT/DO/EO/905
- US Declaration/Power of Attorney signed by inventor: Anthony Patrick JONES, Gregor John McLennan ANDERSON, Paul Kenneth RAND which was part of the October 16, 2001 transmission to the DO/EO/US.
- Also included are the following
  - copy of the returned post card stamped October 16, 2001
  - 35 USC 371 Transmittal Sheet
  - Preliminary Amendment with abstract
  - IDS, Form 1449 and PCT Search Report

We respectfully request that the mailing date of October 16, 2001 be the filing date for this application.

Please charge our deposit account 07-1392 for all other associated fees.

Date: 26 Nov 2001


Respectfully submitted,

  
Christopher P. Rogers  
Attorney of Record 36,334  
GlaxoSmithKline.  
Corporate Intellectual Property Department  
Five Moore Drive, PO Box 13398  
Research Triangle Park, NC 27709  
Telephone: 919-483-2370  
Fax: 919-483-7988



23347

PATENT TRADEMARK OFFICE

		
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/936,505	Anthony Patrick Jones	PG3671USW

INTERNATIONAL APPLICATION NO.
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PCT/EP00/01446

I.A. FILING DATE	PRIORITY DATE
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02/23/2000

David J Levy  
GlaxoSmithKline  
Five Moore Drive  
PO Box 13398  
Research Triangle Park, NC 27709

CP Docket No: PG3671USW  
Attorney: CPR  
Paper: N/MISS REQUIREMENTS

Due Date: 06 JAN 02  
Deadline: 06 MAY 02  
Recorded: pdy

REDBOOK

CONFIRMATION NO. 4406

371 FORMALITIES LETTER



\*OC000000007027347\*

Date Mailed: 11/06/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,505	PCT/EP00/01446	PG3671USW

DOCKET NO.: PG 3671USW

SERIAL NO.: 09/936,505

TITLE: Metering Valve

JC14 Rec'd PCT/PTO

16 OCT 2001

The date stamp of the Patent Office hereon may be considered as the date on which papers indicated below are received.

- ☐ Application \_\_\_\_\_ pages \_\_\_\_\_ claims
- ☒ Abstract
- ☐ Assignment w/Coverletter
- ☐ Drawings ( \_\_\_\_\_ sheets)
- ☒ Declaration/Oath w/Power of Attorney ☐ Unexecuted ☒ Executed
- ☒ Fee Authorization & Deposit Account Copy
- ☒ IDS-Publication Disclosure (37 CFR 1.56) ☒ w/o References ☐ w/References
- ☒ Amendment ( Preliminary )
- ☐ Petition for Extension of Time \_\_\_\_\_ 1mo \_\_\_\_\_ 2mo \_\_\_\_\_ 3mo \_\_\_\_\_ 4mo
- ☐ Issue Fee Transmittal
- ☐ Notice of Appeal
- ☐ Appeal Brief
- ☐ Req. for Oral Hearing
- ☒ Certificate of Mailing ☒ Express Mail \_\_\_\_\_
- Express Mail Label  
EL395895530US

Mailed 10-16-01

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. <b>PG3671USW</b>
Applicant(s): <b>Anthony Patrick JONES et al</b>			
Serial No. <b>09/936,505</b>	Filing Date <b>September 11, 2001</b>	Examiner	Group Art Unit
Invention: <b>Metering Valve</b>			
<p>I hereby certify that this <u><b>2nd Transmission of 35 USC 371 application-Preliminary Amend, IDS and Declaration</b></u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.</p> <p>20231-0001 on <u><b>October 16, 2001</b></u> <i>(Date)</i></p> <div style="text-align: right;"><p><u><b>Elaine Martens</b></u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p><u><i>Elaine Martens</i></u> <i>(Signature of Person Mailing Correspondence)</i></p><p>Express Mail Label <b>EL395895530US</b> <i>(Express mail tracking label number)</i></p></div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			